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May 20, 2020

VIA ECF

The Honorable Pamela K. Chen
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Hernan Lopez, et al.
Criminal Docket No. 15-252 (S-3) (PKC)

Dear Judge Chen:

The defendant, Full Play Group S.A. ("FPG"), respectfully submits this letter with regard to (1) defendant Hernan Lopez's motion to dismiss the indictment or, in the alternative, to seek the release of grand jury materials and an evidentiary hearing (ECF Dkt. No. 1384), and (2) defendants Lopez and Carlos Martinez's motion to extend the deadline for filing a bill of particulars (ECF Dkt. No. 1387).

First, after conferring with the government on May 18, 2020, FPG takes no position regarding defendant Lopez's motion to dismiss the indictment. However, FPG respectfully requests that any ruling on Lopez's alternative request for the release of grand jury materials and an evidentiary hearing not prejudice FPG from any future request for grand jury records. The parties in this matter have only begun to exchange voluminous discovery and we request an adequate opportunity to review what has been provided to date and confer with counsel on additional discovery requests, including some which may bear on the release of grand jury records. Accordingly, we respectfully request that the Court reserve judgment on the discovery and evidentiary hearing requests in Lopez's motion.

Second, FPG joins defendants Lopez and Martinez in moving for a second order extending the time within which defendants may file a motion seeking a bill of particulars ("Motion for Extension"). Yesterday, the Court granted the extension. (See May 19, 2020 Order). FPG joins in the same arguments set forth in the Motion for Extension, and for purposes of efficiency do not restate those here. FPG's current deadline to file a motion for a bill of particulars is also June 8, 2020. (ECF Dkt. No. 1371). FPG, like Lopez and Martinez, seeks a 60-day extension to August 7, 2020. This is FPG's second request for an extension, the Court having granted the first request this past April. (See Apr. 20, 2020 Order). On May 18, 2020, we confirmed with Assistant United States Attorney Sam Nitze that the government has no objection to this request. Pursuant to Rule 7(f) of the Federal Rules of Criminal Procedure and the reasons set forth in the Motion for Extension as well as here, FPG respectfully requests the Court grant this application and issue an order enlarging the time within which FPG may file a motion seeking a bill of particulars until August 7, 2020.

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We remain at the Court's disposal should Your Honor have any questions or concerns.

Respectfully,

/s/ Carlos F. Ortiz

Carlos F. Ortiz

CFO/ck

cc: Counsel of record (via ECF)
Clerk of Court (PKC)(via ECF)